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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/538,624	03/29/2000	Nosakhare D. Omoigui	MS1-272USC1	8365

45979 7590 12/29/2005	EXAMINER
PERKINS COIE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247	JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/538,624	OMOIGUI ET AL.
	Examiner	Art Unit	
	LaShonda T. Jacobs	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _October 11, 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _24-28 and 59-93_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _24-28 and 59-93_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action in response to Applicants' Amendment/Request for Reconsideration filed on

October 11, 2005. Claims 1-23 and 29-57 have been cancelled. Claims 24-28 and 58-93 are

presented for examination.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims **24-28** and **59-93** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kinney et al (hereinafter, "Kinney", U.S. Pat. No. 5,808,662) in view of Shaw et al (hereinafter,

"Shaw", U.S. Pat. No. 5,815,689).

As per claim **24**, Kinney discloses:

- a master control component to maintain a master timeline for a multimedia presentation

    (col. 5, lines 4-18; Kinney discloses a GUI interface (master control) that is used by a

    user to control the playback of the movie (multimedia presentation).

However, Kinney does not explicitly disclose:

- a plurality of individual data streams; and

- for each of the plurality of individual data streams controls corresponding to the individual data streams of the multimedia presentation, wherein each individual stream controls is to maintain a timeline for the corresponding individual data stream and wherein an individual stream control determines when the master timeline is modified by the master control so that the individual stream controls can modify the corresponding individual data streams to accommodate the modified master timeline.

Shaw discloses a method and computer program product for synchronizing processing between two or more data streams including:

- a plurality of individual data streams (abstract and col. 36, lines 22-31); and

- for each of the plurality of individual data streams controls corresponding to the individual data streams of the multimedia presentation, wherein each individual stream controls is to maintain a timeline for the corresponding individual data stream and wherein an individual stream control determines when the master timeline is modified by the master control so that the individual stream controls can modify the corresponding individual data streams to accommodate the modified master timeline (col. 36, lines 46-67, col. 37, lines 53-60 and col. 40, lines 5-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kinney by incorporating a master clock and slave clocks for each data stream in order to synchronize processing of the data streams thereby allowing processing adjustments to be made with less effect on the rendered data.

As per claim **25**, Kinney discloses:

- a user request for a new playback speed and communicate the new playback speed to

  the plurality of individual stream controls (col. 5, lines 52-64).

As per claim **26**, Kinney discloses:

- communicating the new playback speed to the plurality of individual stream controls by

  sending a message to each of the plurality of individual stream controls (col. 5, lines 52-

  64).

As per claim **27**, Kinney discloses:

- wherein each of the plurality of individual stream controls is to monitor the master

  timeline and adjust the timeline a maintained by the stream control to maintain

  synchronization with the master timeline (col. 5, lines 65-66 and col. 6, lines 1-9).

As per claim **28**, Kinney discloses:

- wherein the plurality of data streams include one or more of an image stream, a text

  stream, and an animation stream (col. 2, lines 66-67 and col. 3, lines 1-15).

As per claims **58**, and **72**, Kinney discloses a method in a network client for synchronizing

streams of a multimedia presentation having a plurality streams, the streams located at one or

more network servers, the method comprising:

- maintaining a presentation timeline using a master control (col. 5, lines 4-18; Kinney

  discloses a GUI interface (master control) that is used by a user to control the playback

  of the movie (multimedia presentation);

- detecting an event that causes a change in the presentation timeline (col. 5, lines 52-64);

- modifying the master control's presentation timeline in response to the event (col. 5,

  lines 65-66 and col. 6, lines 1-9); and

However, Kinney does not explicitly disclose:

- receiving <u>from the one or more network servers</u> the <u>plurality of</u> streams, each stream <u>of</u> <u>the plurality of streams</u> having a slave control; and

- notifying each slave control <u>of the plurality of streams</u> that the presentation timeline has been modified, so that the slave controls can alter their <u>corresponding</u> streams to accommodate the modified presentation timeline.

Shaw discloses a method and computer program product for synchronizing processing between two or more data streams including:

- receiving <u>from the one or more network servers</u> the <u>plurality of</u> streams, each stream <u>of</u> <u>the plurality of streams</u> having a slave control (abstract and col. 36, lines 22-31); and

- notifying each slave control <u>of the plurality of streams</u> that the presentation timeline has been modified, so that the slave controls can alter their <u>corresponding</u> streams to accommodate the modified presentation timeline (col. 36, lines 46-67, col. 37, lines 53-60 and col. 40, lines 5-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kinney by incorporating a master clock and slave clocks for each data stream in order to synchronize processing of the data streams thereby allowing processing adjustments to be made with less effect on the rendered data.

As per claim **86**, Kinney discloses a system for synchronizing streams of a presentation <u>having a plurality of stream</u> comprising:

- a master control component located at a network client for maintaining a presentation timeline (col. 5, lines 4-18; Kinney discloses a GUI interface (master control) that is used by a user to control the playback of the movie (multimedia presentation); and

- wherein the master control detects an event that causes a change in the presentation timeline (col. 5, lines 52-64).

However, Kinney does not explicitly disclose:

- a first slave control component located at a first network server for controlling a stream being transmitted by the first network server (abstract col. 37, lines 53-60 and col. 40, lines 5-18);

- a second slave control component located at a second network server for controlling a stream being transmitted by the second network server (abstract col. 37, lines 53-60 and col. 40, lines 5-18); and

- modifies the presentation timeline in response to the event, and notifies the slave control components that the presentation timeline has been modified so that the slave controls components can alter their streams to accommodate the modified presentation (col. 36, lines 46-67, col. 37, lines 53-60 and col. 40, lines 5-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kinney by incorporating a master clock and slave clocks for each data stream in order to synchronize processing of the data streams thereby allowing processing adjustments to be made with less effect on the rendered data.

As per claims **59**, **73** and **87**, Kinney discloses:

- wherein the event is a decrease in the available bandwidth from one or more of the servers to the client (col. 3, lines 27-31).

As per claims **60**, **74** and **88**, Kinney discloses:

- wherein the event is an increase in the available bandwidth from one or more of the servers to the client (col. 3, lines 27-31).

As per claims **61**, **75** and **89**, Kinney discloses:

- wherein the event is a change in the speed of playback selected by a user viewing the presentation (col. 6, lines 1-9).

As per claims **62**, **76** and **90**, Kinney discloses:

- wherein the modifying of the master control's presentation timeline further comprises selecting particular streams for alteration (col. 5, lines 52-64).

As per claims **63**, **77** and **91**, Kinney discloses:

- wherein the selecting of particular streams is performed using a priority ranking provided to the master control (col. 6, lines 1-9).

As per claims **64**, **78** and **92**, Kinney discloses:

- wherein the selecting of particular streams is performed using a user-supplied ordered list provided to the master control (col. 5, lines 52-64).

As per claims **65**, **79** and **93**, Kinney discloses:

- wherein the altering of a stream by a slave control is selected from the group consisting of jumping ahead in the stream, pausing the stream, and time-scale modification of the stream (col. 4, lines 41-49 and col. 5, lines 36-51).

As per claims **66** and **80**, Kinney discloses:

- wherein the event is generated by the user choosing the manner of change to the presentation timeline (col. 5, lines 36-51).

As per claims **67** and **81**, Kinney discloses:

- wherein the individual streams include one or more of an image stream, a text stream, and an animation stream (col. 2, lines 66-67 and col. 3, lines 1-15).

As per claims **68** and **82**, Kinney discloses: .

- wherein the slave controls are located at the network servers (col. 3, lines 16-26).

As per claims **69** and **83**, Kinney discloses:

- wherein the slave controls are located at the network client (col. 2, lines 66-67 and col. 3, lines 1-15).

As per claims **70** and **84**, Kinney discloses:

- wherein multiple slave controls are located at the same network server (col. 2, lines 66-67 and col. 3, lines 1-15).

As per claims **71** and **85**, Kinney discloses:

- wherein the streams are received from different servers (col. 2, lines 66-67 and col. 3, lines 1-15).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims **24, 58, 72** and **86** are rejected under 35 U.S.C. 102(b) as being anticipated by

Shaw et al (hereinafter, "Shaw", U.S. Pat. No. 5,815,689)

As per claim **24**, Shaw discloses:

- a master control component to maintain a master timeline for a multimedia presentation

    (abstract and col. 36, lines 39-60).

- a plurality of individual data streams (abstract and col. 36, lines 22-31); and

- for each of the plurality of individual data streams controls corresponding to the

    individual data streams of the multimedia presentation, wherein each individual stream

    controls is to maintain a timeline for the corresponding individual data stream and

    wherein an individual stream control determines when the master timeline is modified

    by the master control so that the individual stream controls can modify the

    corresponding individual data streams to accommodate the modified master timeline

    (col. 36, lines 46-67, col. 37, lines 53-60 and col. 40, lines 5-18).

As per claims **58**, and **72**, Kinney discloses a method in a network client for synchronizing

streams of a multimedia presentation having a plurality streams, the streams located at one or

more network servers, the method comprising:

- maintaining a presentation timeline using a master control (abstract and col. 36, lines

    39-60);

- detecting an event that causes a change in the presentation timeline (abstract and col. 36,

    lines 39-60);

- modifying the master control's presentation timeline in response to the event (col. 36,

    lines 46-67, col. 37, lines 53-60 and col. 40, lines 5-18);

- receiving <u>from the one or more network servers</u> the <u>plurality of</u> streams, each stream <u>of the plurality of streams</u> having a slave control (abstract and col. 36, lines 22-31); and

- notifying each slave control <u>of the plurality of streams</u> that the presentation timeline has been modified, so that the slave controls can alter their <u>corresponding</u> streams to accommodate the modified presentation timeline (col. 36, lines 46-67, col. 37, lines 53-60 and col. 40, lines 5-18).

As per claim **86**, Kinney discloses a system for synchronizing streams of a presentation <u>having a plurality of stream</u> comprising:

- a master control component located at a network client for maintaining a presentation timeline (abstract and col. 36, lines 39-60);

- a first slave control component located at a first network server for controlling a stream being transmitted by the first network server (abstract col. 37, lines 53-60 and col. 40, lines 5-18);

- a second slave control component located at a second network server for controlling a stream being transmitted by the second network server (abstract col. 37, lines 53-60 and col. 40, lines 5-18); and

- wherein the master control detects an event that causes a change in the presentation timeline, modifies the presentation timeline in response to the event, and notifies the slave control <u>components</u> that the presentation timeline has been modified so that the slave controls <u>components</u> can alter their streams to accommodate the modified presentation (col. 36, lines 46-67, col. 37, lines 53-60 and col. 40, lines 5-18).

Response to Arguments

5.   Applicant's arguments with respect to claims 24-28 and 58-93 have been considered but

are moot in view of the new ground(s) of rejection.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

U.S. Pat. No. 6,665,308 to Rakib et al

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004.

The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ltj   LaShonda T Jacobs
December 14, 2005   Examiner
                                                 Art Unit 2157

                                                 ARIO ETIENNE
                                                 SUPERVISORY PATENT EXAMINER